

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT S. CHEATLE, JR., et al. : CIVIL ACTION

v. :

DAVID A. KATZ, et al. : NO. 02-4405

**SCHEDULING ORDER**

AND NOW, this 10<sup>th</sup> day of October, 2003, upon review of the pleadings filed to date and upon consideration of the matters discussed in a conference with counsel, the court issues the following Scheduling Order to govern all further proceedings in this case:

1. All discovery, including requests for and responses thereto, shall be completed on before **December 31, 2003**.
2. Plaintiffs' Pretrial Memorandum shall be prepared in accordance with this Order and Local Rule of Civil Procedure 16.1(c) and it shall be filed, along with any expert reports as required by Fed.R.Civ.P. 26 on or before **January 16, 2004**.
3. Defendants' Pretrial Memorandum shall be prepared in accordance with this Order and Local Rule 16.1(c) and it shall be filed, along with any expert reports as required by Fed.R.Civ.P. 26, on or before **January 30, 2004**.
4. Any depositions of expert witnesses will be scheduled at the convenience of the parties. If the parties can not agree, they shall request a telephone conference with the court.

5. All dispositive motions and motions in limine must be filed and served on or before **February 10, 2004**.

6. All trial exhibits shall be marked and exchanged on or before **February 17, 2004**.

7. A non-jury trial shall commence on **February 24, 2004** at 10:00 a.m., before the undersigned in Courtroom 3-I, Third Floor, U.S. Courthouse, 601 Market Street, Philadelphia, Pa.

8. A settlement conference is scheduled for **November 21, 2003** before Magistrate Judge Jacob P. Hart at 10:00 a.m.

9. Pursuant to Local Rule of Civil Procedure 16.1(d)(3), the court of its own motion or at the request of one of the parties, may order further conferences to narrow the issues, but it will not be necessary for counsel to prepare a proposed Pretrial Order in accordance with Local Rule of Civil Procedure 16.1(d)(2) unless specifically ordered by the court.

10. The provisions of Local Rule of Civil Procedure 16.1(d)(4) will be applicable to these proceedings.

11. Because of the availability of the videotape recording equipment in the Federal Courthouse at minimal cost to counsel, requests for a continuance due to the absence of a medical or expert witness will not be favorably received by the court.

12. Findings of Fact and Conclusions of Law shall be submitted within 14 days **after** the conclusion of the trial.

13. Failure to comply with the dates set forth above shall not be grounds for a continuance of the trial and such failure can result in the imposition of such sanctions as the court deems appropriate.

BY THE COURT:

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THOMAS J. RUETER  
United States Magistrate Judge

cc: Magistrate Judge Jacob P. Hart  
John C. Fenningham, Esquire  
Francis Recchuiti, Esquire  
(Via U.S. Mail)